

## Senate Resolution 786

By: Senators Pearson of the 51st, Mullis of the 53rd, Williams of the 19th, Stoner of the 6th and Seay of the 34th

## A RESOLUTION

Proposing an amendment to the Constitution so as to provide for the authority of the General Assembly to approve, reject, or modify any proposed expenditure of revenues received from motor fuel taxes; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article III, Section IX, Paragraph VI of the Constitution is amended by revising subparagraph (b) as follows:

"(b) An amount equal to all money derived from motor fuel taxes received by the state in each of the immediately preceding fiscal years, less the amount of refunds, rebates, and collection costs authorized by law, is hereby appropriated for the fiscal year beginning July 1, of each year following, for all activities incident to providing and maintaining an adequate system of public roads and bridges in this state, as authorized by laws enacted by the General Assembly of Georgia, and for grants to counties by law authorizing road construction and maintenance, as provided by law authorizing such grants. Said sum is hereby appropriated for, and shall be available for, the aforesaid purposes regardless of whether the General Assembly enacts a general appropriations Act; and said sum need not be specifically stated in any general appropriations Act passed by the General Assembly in order to be available for such purposes; provided, however, that the General Assembly may provide by law for a procedure pursuant to which the General Assembly approves, rejects, or modifies the specific expenditure of such funds. However, this shall not preclude the General Assembly from appropriating for such purposes an amount greater than the sum specified above for such purposes. The expenditure of such funds shall be subject to all the rules, regulations, and restrictions imposed on the expenditure of appropriations by provisions of the Constitution and laws of this state, unless such provisions are in conflict with the provisions of this ~~paragraph~~ Paragraph. And provided, however, that the proceeds of the tax hereby appropriated shall not be subject to budgetary

1 reduction except as provided in this Paragraph. In the event of invasion of this state by  
2 land, sea, or air or in case of a major catastrophe so proclaimed by the Governor, said funds  
3 may be utilized for defense or relief purposes on the executive order of the Governor."

4 **SECTION 2.**

5 The above proposed amendment to the Constitution shall be published and submitted as  
6 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
7 above proposed amendment shall have written or printed thereon the following:

8 "( ) YES Shall the Constitution of Georgia be amended so as to provide for the  
9 authority of the General Assembly to approve, reject, or modify any

10 ( ) NO proposed expenditure of revenues received from motor fuel taxes?"

11 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

12 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
13 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
14 become a part of the Constitution of this state.